

REMARKS

The amendments above and these remarks are responsive to the final Office action dated May 18, 2007, and support the accompanying Request for Continued Examination as a submission under 37 C.F.R. §1.114(c). Claims 1–11 and 14–25 are pending in the application. In the Office action, the Examiner (1) allowed claims 14–20 and 24, (2) merely objected to claims 22 and 23, indicating that each would be allowable if re-written in independent form, and (3) rejected each of the other pending claims as follows:

- Claim 9 was rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite;
- Claims 1–11 and 21 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by EP0773004 A1 to Deaux ("Deaux"); and
- Claims 1, 21, and 25 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 6,129,728 to Schumacher et al. ("Schumacher").

Applicant traverses the rejections, contending that all of the claims are patentable over the cited references. Nevertheless, to expedite the issuance of a patent, and to more particularly point out and distinctly claim aspects of the invention that applicant wants to patent now, applicant has placed the application in condition for allowance by the following amendments to the claims: (1) cancellation of claims 2–11, 22, 23, and 25, without prejudice; (2) amendment of claims 1, 15, 19, 21, and 24; and (3) addition of new dependent claims 26–38. However, applicant reserves the right to pursue the original and/or previously presented subject matter of any of the canceled and/or amended claims at a later time. Accordingly, applicant respectfully requests reconsideration of the

application in view of the amendments above and the remarks below, and prompt issuance of a Notice of Allowance covering all of the pending claims.

I. Request for Continued Examination

Applicants are submitting herewith a Request for Continued Examination (RCE) under 37 C.F.R. §1.114. This Request complies with the requirements of 37 C.F.R. §1.114. In particular:

- (i) Prosecution in the application is closed, since the latest Office action was a final Office action under 37 C.F.R. §1.113.
- (ii) The Request is accompanied by a submission as set forth at 37 C.F.R. §1.114(c), specifically, the amendments and remarks set forth herein.
- (iii) The Request is accompanied by the fee set forth at 37 C.F.R. §1.17(e).

Accordingly, applicants respectfully request grant of their Request for Continued Examination.

II. Amendments to the Claims

The present communication amends claims 1, 15, 19, 21, and 24, and adds new claims 26–38. Each of the amendments and new claims is fully supported by the application. Exemplary support (or an explanation) for each amendment and new claim is provided, without limitation, in the following table:

<i>Claim</i>	<i>Exemplary Support (or Explanation)</i>
1 (Independent)	Claim 22
15	Page 6, lines 1-8
19	(Improves clarity)
21	Page 6, lines 1-8
24	Page 6, lines 1-8
26 (New)	Claim 14
27 (New)	Claim 3

<i>Claim</i>	<i>Exemplary Support (or Explanation)</i>
28 (New)	Page 7, lines 9-11
29 (New)	Claims 6 and 14; Page 19, lines 10 and 11
30 (New)	Claim 9
31 (New)	Claim 10
32 (New)	Claim 11
33 (New)	Claim 3
34 (New)	Page 7, lines 9-11
35 (New)	Claim 6
36 (New)	Claim 9
37 (New)	Claim 10
38 (New)	Claim 11; Page 19, lines 10 and 11

III. Claim Rejections - 35 U.S.C. §112

The Examiner rejected claim 9 under 35 U.S.C. §112, second paragraph, as allegedly being indefinite. In particular, the Examiner stated that "it is unclear what type of reference mark is being claimed. Is the reference mark a line or dot?" Applicant traverses the rejection, contending that claim 9 is a definite as written. However, claim 9 has been canceled, rendering the objection moot.

New claims 30 and 36, which are supported by claim 9, recite "a set of reference marks" that includes "line segments, dots, or both." Applicant submits that the term "set" should clarify the intended meaning of the claim language.

IV. Claim Rejections – 35 U.S.C. §102

The Examiner rejected claims 1–11, 21, and 25 under 35 U.S.C. §102 as being anticipated by Deaux and/or Schumacher. Applicant traverses the rejection, contending that each of these claims is patentable over the cited references. Nevertheless, for the reasons set forth above, applicant has amended the claims according to the subject

matter indicated to be allowable in the Office action. In particular, with regard to the only three independent claims pending, independent claim 1 has been amended to incorporate the subject matter of allowable claim 22 (while also deleting the phrase "that are distinct from the adjustable joint"), independent claim 2 has been canceled without prejudice, and allowed independent claim 14 has not been amended. Accordingly, after entry of the amendments, independent claims 1 and 14 should be allowed, and all of the other pending claims should be allowed for depending from claims 1 and 14.

V. Conclusion

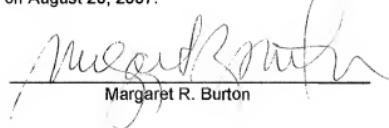
Applicant believes that every issue raised by the Examiner has been addressed and that each of the pending claims is patentable over the cited references. Accordingly, applicant respectfully requests that the Examiner issue a Notice of Allowance covering all of the pending claims. If the Examiner has any questions, or if a telephone interview would in any way advance prosecution of the application, please contact the undersigned attorney of record, or his associate, Stan Hollenberg (Reg. No. 47,658), both at (503) 224-6655.

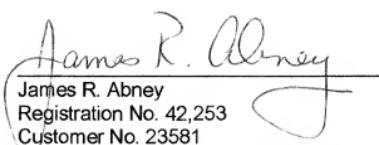
Respectfully submitted,

KOLISCH HARTWELL, P.C.

CERTIFICATE OF E-FILING

I hereby certify that this correspondence is being submitted via the EFS-Web Electronic Filing System to the U.S. Patent and Trademark Office on August 20, 2007.


Margaret R. Burton


James R. Abney
Registration No. 42,253
Customer No. 23581
520 S.W. Yamhill Street, Suite 200
Portland, Oregon 97204
Telephone: (503) 224-6655
Facsimile: (503) 295-6679
Attorney for Applicant/Assignee